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RC07/626

PTO/SB/30 (08-03)

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**Request
For
Continued Examination (RCE)
Transmittal**Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/088,979
Filing Date	March 26, 2002
First Named Inventor	Rainer Fischer et al
Art Unit	1626
Examiner Name	F. Powers
Attorney Docket Number	Mo-7025 / LeA 33,923

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
- ii. ☐ Other _____
- b. ☐ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☒ Affidavit(s)/ Declaration(s)
- iv. ☐ Other Enclosure 3 in German Correspondence to EP Patent Office
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☒ Deposit Account No. 50-2510
- i. ☒ RCE fee required under 37 CFR 1.17(e) 06/03/2004 CCHAU1 00000026 502510 10088979
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 770.00 DA
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Richard E. J. Henderson	Registration No. (Attorney/Agent)	31,619
Signature	<i>Richard E. J. Henderson</i>	Date	June 1, 2004

CERTIFICATE OF MAILING OR TRANSMISSION**Express**I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as ~~Express~~ mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Karen S. Lockhart	Date	June 1, 2004
Signature	<i>Karen S. Lockhart</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT APPLICATION
Mo-7025
LeA 33,923

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF)
RAINER FISCHER ET AL) GROUP NO: 1626
SERIAL NUMBER: 10/088,979) EXAMINER: F. POWERS
FILED: MARCH 26, 2002)
TITLE: TRIFLUOROMETHYL-SUBSTITUTED)
SPIROCYCLIC KETOENOLS)

AMENDMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants herewith submit a Request of Continued Examination and respectfully request that the application be reexamined and reconsidered in view of the following remarks directed at the Final Office Action dated March 8, 2004.

Amendments to the Claims begin on page 2 of this paper.

Remarks and Arguments begin on page 20 of this paper.

"Express Mail" mailing label number ER 776894529 US

Date of Deposit 06/01/04

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Alexandria, VA 22313-1450

Karen S. Lockhart

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